



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF M-T- CORP.

DATE: APR. 22, 2016

APPEAL OF NEBRASKA SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a developer of inspection and telemetry systems, seeks to permanently employ the Beneficiary as a senior embedded software engineer. It requests classification of the Beneficiary as a member of the professions holding an advanced degree under the second preference immigrant classification. *See* Immigration and Nationality Act (the Act) section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). This classification allows a U.S. employer to sponsor a professional with an advanced degree to obtain lawful permanent resident status.

The Director, Nebraska Service Center, denied the petition on July 31, 2015. The Director concluded that the record did not establish the Beneficiary's qualifying education for the requested classification and the offered position.

The matter is now before us on appeal. The Petitioner asserts that the Director erred in his conclusions. We will sustain the appeal.

Upon consideration of the entire record, including evidence submitted on appeal and in response to our notice of intent to dismiss of March 8, 2016, the record establishes the Beneficiary's qualifying education for the requested classification and the offered position as specified on the accompanying labor certification. We will therefore withdraw the Director's decision and sustain the appeal.

The record further establishes the eligibility of the Petitioner and the Beneficiary for the requested benefit. We will therefore also approve the petition.

ORDER: The appeal is sustained.

Cite as *Matter of M-T- Corp.*, ID# 15993 (AAO Apr. 22, 2016)